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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-446

13 **ROBIN RENE GLASGOW**  
1602 Deanna Way  
Redlands, CA 92374

**A C C U S A T I O N**

14 Registered Nurse License No. 369628

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
21 Consumer Affairs. (Board).

22 2. On or about March 31, 1984, the Board issued Registered Nurse License No. 369628  
23 to Robin Rene Glasgow (Respondent). The Registered Nurse License was in full force and effect  
24 at all times relevant to the charges brought herein and will expire on September 30, 2013, unless  
25 renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board, under the authority of the following  
28 laws. All section references are to the Business and Professions Code unless otherwise indicated.

**STATUTORY PROVISIONS**

4. Section 118, subdivision (b), states, that the suspension, expiration, surrender, or cancellation of a license shall not deprive the Board jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

5. Section 490 states, in pertinent part:

"(a) In addition to any other action that a board is permitted to take against a licensee, a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

"(b) Notwithstanding any other provision of law, a board may exercise any authority to discipline a licensee for conviction of a crime that is independent of the authority granted under subdivision (a) only if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the licensee's license was issued.

"(c) A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code."

6. Section 2750 states, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

7. Section 2761 states, in pertinent part:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

....

1       "(d) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the  
2 violating of, or conspiring to violate any provision or term of this chapter [the Nursing Practice  
3 Act] or regulations adopted pursuant to it.

4       ....

5       "(f) Conviction of a felony or of any offense substantially related to the qualifications,  
6 functions, and duties of a registered nurse, in which event the record of the conviction shall be  
7 conclusive evidence thereof. . . ."

8       8. Section 2764 states that the expiration of a license shall not deprive the Board of  
9 jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision  
10 imposing discipline on the license."

11       9. Section 2765 states:

12       "A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a  
13 charge substantially related to the qualifications, functions, and duties of a registered nurse is  
14 deemed to be a conviction within the meaning of this article. The board may order the license or  
15 certificate suspended or revoked, or may decline to issue a license or certificate, when the time  
16 for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an  
17 order granting probation is made suspending the imposition of sentence, irrespective of a  
18 subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person  
19 to withdraw his or her plea of guilty and enter a plea of not guilty, or setting aside the verdict of  
20 guilty, or dismissing the accusation, information or indictment."

21                                   **REGULATORY PROVISIONS**

22       10. California Code of Regulations, title 16, section 1444, states, in pertinent part:

23       "A conviction or act shall be considered to be substantially related to the qualifications,  
24 functions or duties of a registered nurse if to a substantial degree it evidences the present or  
25 potential unfitness of a registered nurse to practice in a manner consistent with the public health,  
26 safety, or welfare. Such convictions or acts shall include but not be limited to the following:

27       ....

28       "(c) Theft, dishonesty, fraud, or deceit."

1 **COST RECOVERY**

2 11. Section 125.3 states, in pertinent part, that the Board may request the administrative  
3 law judge to direct a licensee found to have committed a violation or violations of the licensing  
4 act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the  
5 case.

6 **FIRST CAUSE FOR DISCIPLINE**

7 **(Conviction of a Substantially-Related Crime)**

8 12. Respondent is subject to disciplinary action under sections 490 and 2761, subdivision  
9 (f), in conjunction with California Code of Regulations, title 16, section 1444, in that on or about  
10 July 15, 2011, Respondent was convicted of a crime substantially related to the qualifications,  
11 functions, or duties of a registered nurse which to a substantial degree evidences her present or  
12 potential unfitness to practice in a manner consistent with the public health, safety, or welfare, as  
13 follows:

14 a. On or about July 18, 2011, after pleading *guilty*, Respondent was convicted of one  
15 misdemeanor count of violating Penal Code section 459 [burglary], in the criminal proceeding  
16 entitled *The People of the State of California v. Robin Renee Glasgow* (Super. Ct. San  
17 Bernardino County, 2011, No. MSB1100784). The court sentenced Respondent to serve two (2)  
18 days in jail, placed her on probation for a period of 24 months, and fined her. The circumstances  
19 surrounding the conviction are that on or about February 11, 2011, Loss Prevention Officers  
20 employed by Kohl's department store in the City of Redlands, CA observed Respondent taking  
21 several store items of clothing into a fitting room and then leaving the same room without any of  
22 those items of clothing. A Loss Prevention Officer then searched the fitting room Respondent had  
23 just occupied and found several tags that had been removed and hangers lying on the fitting room  
24 floor. When Respondent subsequently attempted to exit the store without paying for items of  
25 clothing that she had concealed inside several plastic bags, she was detained by Loss Prevention  
26 Officers and escorted back to their security office, where the concealed stolen merchandise was  
27 found on her person and recovered. A police officer from the Redlands Police Department was  
28 then dispatched to the store, whereupon Respondent was arrested and taken into police custody.

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Dishonest Acts)**

3 13. Respondent is subject to disciplinary action under California Code of Regulations,  
4 title 16, section 1444, subdivision (c), in that Respondent was convicted of a crime and/or  
5 engaged in conduct that involved dishonest, fraudulent, and deceitful acts as follows:

6 a. On or about April 13, 2010, Respondent was observed concealing store merchandise  
7 in reusable bags at a Target department store in the city of Redlands, California, by one of the  
8 store's Loss Prevention Officers. She was then observed walking passed open cash registers  
9 without attempting to pay for any of the items, and exiting the store. The Loss Prevention officer  
10 then detained Respondent for questioning and recovered the stolen items, at which point  
11 Respondent stated that she "forgot" to pay for the items because she suffers from bipolar and  
12 attention deficit disorders. Respondent was subsequently placed under arrest by an officer from  
13 the Redlands Police Department for violating Penal Code section 484, subdivision (a) as a result  
14 of that incident.

15 b. In addition, Complainant also refers to, and by this reference incorporates the  
16 allegations set forth above in paragraph 12 as though set forth fully.

17 **THIRD CAUSE FOR DISCIPLINE**

18 **(Unprofessional Conduct / Violate Act)**

19 14. Respondent is subject to disciplinary action under section 2761, subdivision (a) and /  
20 or (d), in that Respondent was convicted of a crime and committed acts that involved  
21 unprofessional conduct that violated the Nursing Practice Act. Complainant refers to, and by this  
22 reference incorporates, the allegations set forth above in paragraphs 12 through 13, inclusive, as  
23 though set forth fully.

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27 ///

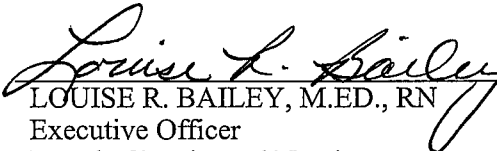
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**PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board issue a decision:

1. Revoking or suspending Registered Nurse License No. 369628, issued to Robin Rene Glasgow;
2. Ordering Robin Rene Glasgow to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED: December 3, 2012

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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